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EXAMINER

HUR, ECE

ART UNIT	PAPER NUMBER
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2109

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/596,180

Applicant(s)

CHEN ET AL.

Examiner

ECE HUR

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 10596180.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

This action is responsive to application filed on June 2, 2006 in which claims 1 to 18 are presented for examination. This application is a 371 of PCT/ IB04/52678, filed on December 7, 2004. Applicant is claiming priority for the foreign application China 200310122528.8, filed on December 9, 2003.

Status of Claims

Claims 1-18 are pending in the case. Claims 1, 10, 16 and 17 are the independent claims. Claims 1-5, 7, 8 and 10-18 are rejected under 35 U.S.C. 102(b). Claims 6 and 9 are rejected under 35 U.S.C. 103(a).

Priority Acknowledgement

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). Receipt is acknowledged of certified copy of application China 200310122528.8, filed on December 9, 2003 submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2109

Claims 1-5, 7, 8 and 10-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Sull et al. (US Pub. No.: 20020069218 A1).

Regarding Claim 1, Sull discloses a method and system for tagging, indexing, searching, retrieving, manipulating, and editing video images on a wide area network such as the Internet, wherein users are enabled to add bookmarks to multimedia files, such as movies, and audio files, such as music. The multimedia bookmark facilitates the searching of portions or segments of multimedia files, particularly when used in conjunction with a search engine. (Sull, See Abstract).

Sull discloses the claimed aspect of the claimed aspect of sending a browsing command for requiring a specific server to send a specific program from a first random position specified by a user in FIG. 53, wherein a Wide Area Network 5350, illustrated with a server 5314, as well as a series of clients such as Laptop 5322, Video Camera 5324, Telephone 5326, Digitizing Pad 5328, Personal Digital Assistance (PDA) 5330, Television 5332, Set Top Box 5340 (that is connected to and serves Television 5338), Scanner 5334, Facsimile Machine 5336, Automobile 5302, Truck 5304, Screen 5308, Work Station 5312, Satellite Dish 5310, and Communications Tower 5306, all useful for communications to or from remote devices for use with the system of the present invention. The present invention is particularly useful for set top boxes 5340. (Sull, Page 11, Paragraph 0161, lines 1-12). Furthermore, Sull discloses the claimed aspect of storing the command to create an corresponding electronic bookmark, wherein disclosed that the multimedia bookmarking scheme can utilize the servers and clients of the system of the present invention, as illustrated in FIG. 53, for use in transferring data

Art Unit: 2109

to or loading data from the servers through the Wide Area Network 5350. (Sull, Page 11, Paragraph 0161, lines 27-31).

Additionally, Sull achieves the claimed aspect of storing the command to create an corresponding electronic bookmark, wherein the storing, indexing, searching, retrieving, editing, and rendering multimedia content over networks having at least one device capable of storing and/or manipulating an electronic file, and at least one device capable of playing the electronic file. (Sull, Page 11, Paragraph 0162, lines 1-6).

Furthermore, Sull discloses that the tags themselves can be embedded in the electronic file, or stored separately in a search engine database or facilitate the e-mailing of multimedia content. Also, Sull discloses that user preferences can be employed and user behavioral history that can be stored in a separate database or queue, or can also be stored in the tag related to the multimedia file in order to further enhance the rich search capabilities of the present invention. (Sull, Page 11, Paragraph 0162, lines 8-17).

Regarding Claim 2, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Sull, discloses the claimed aspect of sending a connection request for establishing connection with the server, wherein the program is stored in the server, and sending a playing request for requiring the server to send the specific program from the first random position, wherein FIG. 18 the video server VS 1804 of the server network 1802 is responsible for streaming video over wired or wireless networks and the server network 1802 also has the video database

Art Unit: 2109

1806 that is operably connected to the video server 1804. (Sull, Page 21, Paragraph 0270). Furthermore, Sull discloses that the multimedia bookmark message service center (VMSC) 1818 acts as a store-and-forward system that delivers a multimedia bookmark over mobile networks. The multimedia bookmark sent by a user PC 1810, either stand-alone or part of a local area network 1808, is stored in VMSC 1818, which then forwards it to the destination mobile phone 1828 when the mobile phone 1828 is available for receiving messages. (Sull, Page 21, Paragraph 0271). Sull, illustrates in FIG. 18 is a system for transmitting multimedia content to a mobile device using the multimedia bookmark.

Additionally, Sull discloses the aspect of sending a connection request for establishing connection with the server and the program is stored in the server, in FIG. 11, wherein a flowchart illustrates the overall process of saving and retrieving multimedia bookmarks. Specifically, at step 1104 the URI, URL or similar address is obtained in step 1104 and a check is made in step 1106 to determine if the information on the bookmarked position such as time code is available at the currently suspended multimedia content. If so, execution is moved to step 1108, where the bookmarked position is obtained. In step 1110, the bookmarked position data, if available, are used to capture, sample or derive audio-visual features of the suspended multimedia content at the bookmarked position. In step 1112, a check is made to determine if the metadata exists. If not, then execution jumps to step 1124 where the URI (or the like), the bookmarked position, and the audio-visual features are stored in persistent storage. (Pages 16 and 17, Paragraph 0209, lines 6-18).

Also, Sull discloses the claimed aspect of playing request for requiring the server to send the specific program from the first random position, in FIG. 12 a flow chart illustrates the process of playing a multimedia bookmark and when the play-bookmark control is selected by the user in step 1030 (see FIG. 10), step 1032 is invoked. In step 1202 (see FIG. 12), the URI or the like, bookmarked position, and metadata ID for the multimedia content to be played back. (Sull, Page 17, Paragraph 0211, lines 1-5). However if the URI content is not valid, a search engine is activated to request this from the server. (Sull, Page 17, Paragraph 0211, lines 6-14).

Regarding Claim 3, most of the limitations have been met in the rejection of Claim 2. See the rejection of Claim 2 for details. Sull, discloses the claimed aspect of sending a second playing request for requiring the server to send the program from a second random position specified by the user; and Identifying one of the playing requests in FIG. 25, wherein a flowchart illustrates at step 2502, a new user (NU) enters the peer-to-peer (P2P) network in step 2504. The new user multicasts a "ping" (service request) signal to announce its presence in step 2506. The new user then waits to receive one or more "pong" (acknowledgement) signals from other users on the network, step 2508. The new user keeps track of the nodes that sent "pong" messages in order to retain a list of active nodes for subsequent connections; step 2510. The new user then initiates a search request by multicasting a query message to the network in step 2512. The source node (SN) 2524 receives the new user's search request and executes a "visual" search using the query parameters in the new user's query

message, step 2526. The source node then routes the search results to the new user in step 2528. The new user receives the search result message that contains the source node's IP address as well as a list of names and sizes of found files, step 2514.

Thereafter, the new user makes a connection to the source node using the source node's IP address, and downloads multimedia files, in step 2516. A check is made to determine if the new user wants another search request in step 2518. If so, the execution loops back to the step 2512. Otherwise, the user leaves the P2P network in step 2520 and terminates the program in step 2522. (Sull, Page 35, Paragraph 0459).

Applicant should duly that Sully discloses that the user is able to send first, second and third request and identify one of the playing requests.

Regarding Claim 4, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Sull, discloses the aspect of modifying information of the position in the browsing command to a second random position specified by the user in FIG. 12, wherein the process of playing a multimedia bookmark is illustrated. Specifically, Sull discloses in step 1218, that the bookmarked position is adjusted by using offsets and the multimedia playback starts from the adjusted bookmarked position in step 1220. (Sull, Page 17, Paragraph 0211, lines 25-30).

Regarding Claim 5, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Sull, discloses the aspect of browsing command further comprising an position information of end of playing the program, the

Art Unit: 2109

position information requires the server to stop playing the program at the a second random position specified by the user in FIG. 56, wherein a request to mark the current location of video is sent by the client system to the network server and the network server has the information associated with termination or marked position 5630, the network server is able to determine the sequence of refresh frames 5618, 5620, 5622, 5624 and 5628 over the interval between viewing termination position 5630 and beginning position 5614, or alternatively, the rewind interval 5616. (Sull, Page 23, Paragraph 0302, lines 5-17).

Regarding Claim 7, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Sull, discloses the claimed aspect of modifying the position information to a third random position specified by the user in FIG. 9, the multimedia player 904 provides various buttons 906 for normal VCR (Video Cassette Recorder) controls such as play, pause, stop, fast forward and rewind. (Sull, Page 16, Paragraph 0205, lines 6-10). Applicant should duly note that forward and rewind functions allow user to change the positional information.

Regarding Claim 8, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Sull, discloses the claimed aspect of storing an additional information associated with the electronic bookmark for explaining the electronic bookmark in FIG. 14, wherein a flow chart illustrates the process of adding a title to a multimedia bookmark and when the add-bookmark-title control is

Art Unit: 2109

selected (step 1038 of FIG. 10), the program goes through this portion 1400 of the method. In this routine, the user will be prompted to enter a title in step 1402 for the saved multimedia bookmark. A check is made to determine if the user entered a title in step 1404. If not, the program may provide a default title in step 1406 that may be made in accordance with a predetermined routine. In any case, execution proceeds to step 1408, where the list of multimedia bookmarks is redisplayed with their content information, including the titles and bookmark controls. Thereafter, the method executes the clearing-off routine of step 1610 of FIG. 16. (Sull, Page 17, Paragraph 0213).

Regarding Claim 10, Sull achieves the claimed aspect of providing a system for creating an electronic bookmark during browsing in a web in FIG. 18 and FIG. 68, wherein a system is provided for tagging, indexing, searching, retrieving, manipulating, and editing video images on a wide area network such as the Internet, wherein users are enabled to add bookmarks to multimedia files, such as movies, and audio files, such as music. The multimedia bookmark facilitates the searching of portions or segments of multimedia files, particularly when used in conjunction with a search engine. (Sull, See Abstract). Sull discloses the claimed aspect of the claimed aspect of sending a browsing command for requiring a specific server to send a specific program from a first random position specified by a user in FIG. 53, wherein a Wide Area Network 5350, illustrated with a server 5314, as well as a series of clients such as Laptop 5322, Video Camera 5324, Telephone 5326, Digitizing Pad 5328, Personal Digital Assistance (PDA) 5330, Television 5332, Set Top Box 5340 (that is connected to and serves Television 5338),

Art Unit: 2109

Scanner 5334, Facsimile Machine 5336, Automobile 5302, Truck 5304, Screen 5308, Work Station 5312, Satellite Dish 5310, and Communications Tower 5306, all useful for communications to or from remote devices for use with the system of the present invention. The present invention is particularly useful for set top boxes 5340. (Sull, Page 11, Paragraph 0161, lines 1-12). Furthermore, Sull discloses the claimed aspect of storing the command to create an corresponding electronic bookmark, wherein disclosed that the multimedia bookmarking scheme can utilize the servers and clients of the system of the present invention, as illustrated in FIG. 53, for use in transferring data to or loading data from the servers through the Wide Area Network 5350. (Sull, Page 11, Paragraph 0161, lines 27-31).

Additionally, Sull achieves the claimed aspect of storing the command to create an corresponding electronic bookmark, wherein the storing, indexing, searching, retrieving, editing, and rendering multimedia content over networks having at least one device capable of storing and/or manipulating an electronic file, and at least one device capable of playing the electronic file. (Sull, Page 11, Paragraph 0162, lines 1-6).

Furthermore, Sull discloses that the tags themselves can be embedded in the electronic file, or stored separately in a search engine database or facilitate the e-mailing of multimedia content. Also, Sull discloses that user preferences can be employed and user behavioral history that can be stored in a separate database or queue, or can also be stored in the tag related to the multimedia file in order to further enhance the rich search capabilities of the present invention. (Sull, Page 11, Paragraph 0162, lines 8-17).

Art Unit: 2109

Regarding Claim 11, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Sull, discloses the claimed aspect of sending a connection request for establishing connection with the server, wherein the program is stored in the server, and sending a playing request for requiring the server to send the specific program from the first random position, wherein FIG. 18 the video server VS 1804 of the server network 1802 is responsible for streaming video over wired or wireless networks and the server network 1802 also has the video database 1806 that is operably connected to the video server 1804. (Sull, Page 21, Paragraph 0270). Furthermore, Sull discloses that the multimedia bookmark message service center (VMSC) 1818 acts as a store-and-forward system that delivers a multimedia bookmark over mobile networks. The multimedia bookmark sent by a user PC 1810, either stand-alone or part of a local area network 1808, is stored in VMSC 1818, which then forwards it to the destination mobile phone 1828 when the mobile phone 1828 is available for receiving messages. (Sull, Page 21, Paragraph 0271). Sull, illustrates in FIG. 18 is a system for transmitting multimedia content to a mobile device using the multimedia bookmark.

Additionally, Sull discloses the aspect of sending a connection request for establishing connection with the server and the program is stored in the server, in FIG. 11, wherein a flowchart illustrates the overall process of saving and retrieving multimedia bookmarks. Specifically, at step 1104 the URI, URL or similar address is obtained in step 1104 and a check is made in step 1106 to determine if the information on the bookmarked position such as time code is available at the currently suspended

Art Unit: 2109

multimedia content. If so, execution is moved to step 1108, where the bookmarked position is obtained. In step 1110, the bookmarked position data, if available, are used to capture, sample or derive audio-visual features of the suspended multimedia content at the bookmarked position. In step 1112, a check is made to determine if the metadata exists. If not, then execution jumps to step 1124 where the URI (or the like), the bookmarked position, and the audio-visual features are stored in persistent storage. (Pages 16 and 17, Paragraph 0209, lines 6-18).

Also, Sull discloses the claimed aspect of playing request for requiring the server to send the specific program from the first random position, in FIG. 12 a flow chart illustrates the process of playing a multimedia bookmark and when the play-bookmark control is selected by the user in step 1030(see FIG. 10), step 1032 is invoked. In step 1202 (see FIG. 12), the URI or the like, bookmarked position, and metadata ID for the multimedia content to be played back. (Sull, Page 17, Paragraph 0211, lines 1-5). However if the URI content is not valid, a search engine is activated to request this from the server. (Sull, Page 17, Paragraph 0211, lines 6-14).

Regarding Claim 12, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Sull, discloses the aspect of browsing command further comprising an position information of end of playing the program, the position information requires the server to stop playing the program at the a second random position specified by the user in FIG. 56, wherein a request to mark the current location of video is sent by the client system to the network server and the

Art Unit: 2109

network server has the information associated with termination or marked position 5630, the network server is able to determine the sequence of refresh frames 5618, 5620, 5622, 5624 and 5628 over the interval between viewing termination position 5630 and beginning position 5614, or alternatively, the rewind interval 5616. (Sull, Page 23, Paragraph 0302, lines 5-17).

Regarding Claim 13, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Sull discloses the claimed aspect of editing means for editing the browsing command in FIG. 10, wherein in step 1014, the list of multimedia bookmarks is displayed to the user by using their content information and bookmark controls. In a select control, step 1016 is performed. A check is made to determine if the user wants to change the variation, step 1018. If so, the user can select the other variation, step 1020. Thereafter, in step 1022, a check is made to determine if the user has selected one of the conventional VCR-type controls (e.g., play, pause, stop, fast forward, and rewind) or one of the bookmark-type controls (add-bookmark, play-bookmark, delete-bookmark, add-bookmark-title, search, and send-bookmark). (Sull, Page 16, Paragraph 0208, lines 13-24). Furthermore, Sull discloses in FIG. 62 a web browsing window 6202 with the web page 6204 and the button control bar 6206. As with FIG. 61, the remote control button bar 6206 has identical functionality as the one described in FIG. 61. Similarly, the remote control buttons have various functionality, for example, there is a program list button 6208, a browsing button 6210, a play button 6212, and a storyboard button 6216. (Sull, Page 29, Paragraph 0360, lines 1-9).

Art Unit: 2109

Additionally, Sull discloses in FIG. 2 multimedia bookmark 210 comprising positional information 212 and content information 214 is illustrated. The positional information 212 is used for accessing a multimedia content 204 starting from a bookmarked position 206. The content information 214 is used for visually displaying multimedia bookmarks in a bookmark list 208, as well as for searching one or more multimedia content databases for the content that matches the content information 214. (Sull, Page 12, Paragraph 0172).

Regarding Claim 14, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Sull, discloses the claimed aspect of modifying the position information to a third random position specified by the user in FIG. 9, the multimedia player 904 provides various buttons 906 for normal VCR (Video Cassette Recorder) controls such as play, pause, stop, fast forward and rewind. (Sull, Page 16, Paragraph 0205, lines 6-10). Applicant should duly note that forward and rewind functions allow user to change the positional information.

Regarding Claim 15, most of the limitations have been met in the rejection of Claim 10. See the rejection of Claim 10 for details. Sull, discloses the claimed aspect of storing an additional information associated with the electronic bookmark for explaining the electronic bookmark in FIG. 14, wherein a flow chart illustrates the process of adding a title to a multimedia bookmark and when the add-bookmark-title control is selected (step 1038 of FIG. 10), the program goes through this portion 1400 of the

Art Unit: 2109

method. In this routine, the user will be prompted to enter a title in step 1402 for the saved multimedia bookmark. A check is made to determine if the user entered a title in step 1404. If not, the program may provide a default title in step 1406 that may be made in accordance with a predetermined routine. In any case, execution proceeds to step 1408, where the list of multimedia bookmarks is redisplayed with their content information, including the titles and bookmark controls. Thereafter, the method executes the clearing-off routine of step 1610 of FIG. 16. (Sull, Page 17, Paragraph 0213).

Regarding Claim 16, Sull discloses the claimed aspect of media playing apparatus, comprising means for acquiring the media contents and means for playing the media contents and creating means for creating an electronic bookmark in FIG. 2 a multimedia bookmark 210 interface is illustrated comprising positional information 212 and content information 214 is illustrated. The positional information 212 is used for accessing a multimedia content 204 starting from a bookmarked position 206. The content information 214 is used for visually displaying multimedia bookmarks in a bookmark list 208, as well as for searching one or more multimedia content databases for the content that matches the content information 214. (Sull, Page 12, Paragraph 0172). Additionally, in FIG. 3 multimedia player is illustrated. Furthermore Sully discloses in FIG. 53 various devices are illustrated such telephone, laptop, Set-Top Box, digitizing pad, the method and system could be applied on these devices.

Sull achieves the claimed aspect of providing a system for creating an electronic bookmark during browsing in a web in FIG. 18 and FIG. 68, wherein a system is

Art Unit: 2109

provided for tagging, indexing, searching, retrieving, manipulating, and editing video images on a wide area network such as the Internet, wherein users are enabled to add bookmarks to multimedia files, such as movies, and audio files, such as music. The multimedia bookmark facilitates the searching of portions or segments of multimedia files, particularly when used in conjunction with a search engine. (Sull, See Abstract).

Sull discloses the claimed aspect of the claimed aspect of sending a browsing command for requiring a specific server to send a specific program from a first random position specified by a user in FIG. 53, wherein a Wide Area Network 5350, illustrated with a server 5314, as well as a series of clients such as Laptop 5322, Video Camera 5324, Telephone 5326, Digitizing Pad 5328, Personal Digital Assistance (PDA) 5330, Television 5332, Set Top Box 5340 (that is connected to and serves Television 5338), Scanner 5334, Facsimile Machine 5336, Automobile 5302, Truck 5304, Screen 5308, Work Station 5312, Satellite Dish 5310, and Communications Tower 5306, all useful for communications to or from remote devices for use with the system of the present invention. The present invention is particularly useful for set top boxes 5340. (Sull, Page 11, Paragraph 0161, lines 1-12). Furthermore, Sull discloses the claimed aspect of storing the command to create an corresponding electronic bookmark, wherein disclosed that the multimedia bookmarking scheme can utilize the servers and clients of the system of the present invention, as illustrated in FIG. 53, for use in transferring data to or loading data from the servers through the Wide Area Network 5350. (Sull, Page 11, Paragraph 0161, lines 27-31).

Additionally, Sull achieves the claimed aspect of storing the command to create an corresponding electronic bookmark, wherein the storing, indexing, searching, retrieving, editing, and rendering multimedia content over networks having at least one device capable of storing and/or manipulating an electronic file, and at least one device capable of playing the electronic file. (Sull, Page 11, Paragraph 0162, lines 1-6).

Furthermore, Sull discloses that the tags themselves can be embedded in the electronic file, or stored separately in a search engine database or facilitate the e-mailing of multimedia content. Also, Sull discloses that user preferences can be employed and user behavioral history that can be stored in a separate database or queue, or can also be stored in the tag related to the multimedia file in order to further enhance the rich search capabilities of the present invention. (Sull, Page 11, Paragraph 0162, lines 8-17).

Regarding Claim 17, Sull discloses the claimed aspect of an electronic bookmark, comprising receiving a request for requiring to execute the electronic bookmark and sending a browsing command according to the electronic bookmark to require a specific server to send an specific program from a first random position specified by a user in FIG. 18, wherein transmitting of multimedia content to a mobile device using the multimedia bookmark is illustrated and the video server VS 1804 of the server network 1802 is responsible for streaming video over wired or wireless networks and the server network 1802 also has the video database 1806 that is operably connected to the video server 1804. (Sull, Page 21, Paragraph 0270). Furthermore, Sull

Art Unit: 2109

discloses that the multimedia bookmark message service center (VMSC) 1818 acts as a store-and-forward system that delivers a multimedia bookmark over mobile networks.

The multimedia bookmark sent by a user PC 1810, either stand-alone or part of a local area network 1808, is stored in VMSC 1818, which then forwards it to the destination mobile phone 1828 when the mobile phone 1828 is available for receiving messages.

(Sull, Page 21, Paragraph 0271). Sull, illustrates in FIG. 18 is a system for transmitting multimedia content to a mobile device using the multimedia bookmark.

Regarding Claim 18, most of the limitations have been met in the rejection of Claim 17. See the rejection of Claim 17 for details. Sull, discloses the aspect of browsing command further comprising an position information of end of playing the program, the position information requires the server to stop playing the program at the a second random position specified by the user in FIG. 56, wherein a request to mark the current location of video is sent by the client system to the network server and the network server has the information associated with termination or marked position 5630, the network server is able to determine the sequence of refresh frames 5618, 5620, 5622, 5624 and 5628 over the interval between viewing termination position 5630 and beginning position 5614, or alternatively, the rewind internal 5616. (Sull, Page 23, Paragraph 0302, lines 5-17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sull et al., (US Pub. No.: 20020069218 A1).

Regarding Claim 6, most of the limitations have been met in the rejection of Claim 5. See the rejection of Claim 5 for details. Sull, discloses the aspect of modifying the position information to a third random position specified by the user in FIG. 55, wherein during playback a video is paused, terminated or otherwise interrupted, the viewing user or the client system displaying the video preferably sends a request to mark the video at the point of interruption to the server delivering the multimedia content to the client device and upon receipt of a request to mark, an instance between beginning 5504 and end 5518 of video or multimedia content 5502 is preferably selected as the videos termination or marked position 5514. Then, using marked position 5514 and metadata associated with the video or multimedia content, the server randomly selects a sequence of refresh frames 5506, 5508, 5510 and 5512 from rewind interval 5516 for storage on a storage device. When the viewing user or client later initiates playback of the interrupted video, the server first delivers the sequence of refresh frames 5506, 5508, 5510 and 5512 to the client. At the client system, refresh

frames 5506, 5508, 5510 and 5512 are preferably displayed either in a slide-show or storyboard format before the video or multimedia content 5502 resumes playback from termination or marked position 5514. (Sull, Page 23, Paragraph 0301, lines). Applicant should duly note that the rewind aspect is similar to modifying the position to a third random position specified by the user.

Regarding Claim 9, most of the limitations have been met in the rejection of Claim 1. See the rejection of Claim 1 for details. Sull achieves the aspect of browsing command is sent to a LAN or Wan Network, wherein the invention can be applied not only to videos stored on CD-ROM, DVD, and hard disk, but also to streaming videos on a local area network (LAN) and wide area networks (WAN) such as the Internet. Additionally, Sull discloses that the method and system of automatically generating an edited metadata using the metadata of input videos and this can be used on a variety of systems related to video editing, browsing, and searching. Furthermore, Sull discloses that his invention can also be used on stand-alone computers as well those connected to a LAN or WAN such as the Internet. (Sull, Page 36, Paragraph 0461). However, Sull does not specifically teach the aspect of using of RTSP (Real Time Streaming Protocol). The Real Time Streaming Protocol (RTSP), developed by the IETF and created in 1998, is a protocol used in streaming media systems which allows a client to remotely control a streaming media server, issuing VCR-like commands such as "play" and "pause", and allowing time-based access to files on a server. (Wikipedia, Encyclopedia). Applicant should duly note it would have been obvious to one of ordinary skill in the art at the time

Art Unit: 2109

of the invention to use Real Time Streaming Protocol, because Sull is referring to a time difference concept about the recorded content on the STB 6820 and the content on the metadata server 6802 and therefor, the received metadata cannot be directly applied to the recorded content without proper adjustments. (Sull, Page 26, Paragraph 0330, lines 7-12).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- 1) Hepworth, Paul J. et al., US 20020143814 A1, 10/03/2002, "Systems and methods for automatic insertion of machine-readable graphical codes into printable documents".
- 2) Smethers, Paula, US 20030055870 A1, 03/20/2003, "Remote Bookmarking For Wireless Client Devices".
- 3) Burleson, Winslow S., US 20040075682 A1, 04/22/2004, "System and process for creating bookmark web pages using web browser intermediaries".
- 4) Chiu, Patrick, et al., US 20040169683 A1, 09/02/2004, "Systems and methods for bookmarking live and recorded multimedia documents".
- 5) Genty, Denise Marie, et al., US 20040205495 A1, 10/14/2004, "Apparatus and method of bookmarking paths to web pages".

Art Unit: 2109

6) Sull, Sanghoon, et al., US 20070033292 A1, 02/08/2007, "Method For Sending Multimedia Bookmarks Over A Network".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ECE HUR whose telephone number is (571) 270-1972. The examiner can normally be reached on MONDAY-THURSDAY 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FRANTZ COBY can be reached on (571) 272-4017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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July 26, 2007


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